

KENTUCKY HEALTH BENEFIT EXCHANGE ADVISORY BOARD

NAVIGATOR/AGENT SUBCOMMITTEE

Meeting Minutes

January 10, 2013

Call to Order and Roll Call

The third meeting of the Navigator/Agent Subcommittee was held on Thursday, January 10, 2013, at 1:30 p.m. in the Small Conference Room at the Office of the Kentucky Health Benefit Exchange. Marcus Woodward, Chair, called the meeting to order at 1:30 p.m., and the secretary called the roll.

Subcommittee Members Present: Given Marcus Woodward, Chair; David H. Allgood; George L. “Chip” Atkins, III; Andrea Bennett (by phone); Jan Day (by phone), Carl Felix; Frances Feltner (by phone); Josie L. Hollon (by phone); John Kiebler; Jim Lawless; Don Mucci; Dr. Nicholas R. Payne (by phone); and Tihisha Rawlins.

Staff Present: Carrie Banahan, Lee Barnard, Tammy Bullock, Sharron Burton (DOI), Reina Diaz-Dempsey, Miriam Fordham, Kris Hayslett, Jean Klinge, Carrie Kulmer, William Nold, Brenda Parker, Vanessa Petrey, Sherilyn Redmon, Melea Rivera, and Gary Smith.

Approval of Minutes

A motion was made to accept the minutes of the October 18, 2012, meeting, seconded, and approved by voice vote.

Update on Navigator/In-Person Assister Program Planning

William Nold, Deputy Executive Director, Office of the Kentucky Health Benefit Exchange, provided a brief update on planning efforts for the Navigator/In-Person Assister Program. The Office of the Kentucky Health Benefit Exchange (KHBE) has requested funding for development of the Navigator/In-Person Assister (IPA) Program Planning in its third Level I grant funding request. Deloitte was selected to conduct this project, which started prior to the holidays.

Deloitte Presentation on Navigator/In-Person Assister Program Planning

Representatives from Deloitte LLP provided an overview of the Navigator/Agent and In-Person Assister planning project. The Deloitte project team is nearing the end of the data collection from existing sources and studies and looking for other sources to fill in the data gaps. A subcommittee member suggested that the data be provided at the Medicaid region level. The data is being collected at the county level and can be aggregated to a Medicaid region level. Working definitions being developed by the Deloitte project team for Navigators, IPAs, agents, and consultants were presented and committee members suggested some modifications that could be made to the definitions. The Level II grant application requested funding for IPAs for 2014. Navigators must be funded using state-only funds. Some of the subcommittee members expressed concern over “service after the sale” in the case of an individual assisted by an IPA, as IPA funding will be limited after 2014. Data sources considered during this data collection phase

were presented with requests for other sources of data for prose literacy, seasonal employment, and mental health. A few sources were recommended by subcommittee members. One subcommittee member noted that apathy toward health care selection might be a more important concern than literacy. The final results of the Deloitte study will be incorporated into a Request for Proposal (RFP) for Navigators and IPAs. The subcommittee members asked if some data or perhaps an executive summary could be made available to them at the next meeting. Carrie Banahan, Executive Director, Office of the Kentucky Health Benefit Exchange, and Mr. Nold responded that some data could be made available within the constraints of the RFP rules. While the KHBE will not know the amount of funding available for IPAs until the Level II grant is approved by the Centers for Medicare and Medicaid Services (CMS), the current belief is that there will be more funds available for many IPAs during 2013 and 2014 and more limited funding for multiple Navigator entities.

General Exchange Implementation Update

The KHBE submitted the Exchange Blueprint, participated in the Center for Consumer Information and Insurance Oversight (CCIIO) Design Review of the Kentucky Health Benefit Exchange, and received conditional approval of Kentucky's Health Benefit Exchange. A copy of the Exchange Blueprint will be posted on the HBE website. KHBE staff is currently reviewing the General Design Document (GDD) describing the system specifications and the next round of Joint Application Design Sessions (JADS) are starting this next week to assist with the Detailed System Design (DSD). With regard to the Navigator and IPA Program, an emergency regulation will be drafted to provide the standards, training specifications, and other rules regulating these programs. With funding from the third Level I grant, the KHBE is conducting a workforce study to assess the current state of providers and access to care in Kentucky. The report from this study should be available in April 2013. Information regarding agents, Navigators, and IPAs included in the newly released guidance from CMS on the Federally-facilitated Exchanges was provided to the subcommittee. Chairman Woodward asked that members review the document and that it be discussed at the next meeting.

Agents and Multi-State Plans

The Office of Personnel Management (OPM) recently released proposed regulations on Multi-State Plans (MSP) that must operate in all states. One MSP must be a non-profit. The proposed regulations do not address agent participation at this time. OPM has previously released an RFP for insurers to apply as a MSP. The issuer or group of insurers must be ready to operate in at least 30 of the states for the first year.

Standards for Agents Participating on the Exchange

Don Mucci was asked to provide some comments on standards for agents participating on the Exchange. Mr. Mucci stated that the primary concern of his informal working group was ethics. If an agent or Navigator were "endorsed" or "certified" by the Exchange, the agent or Navigator should be held to a higher standard of professionalism. This higher standard might include more training requirements or membership in one of the various state agent associations. Chairman Woodward gave the example of the Long-Term Care Partnership Insurance Program and the additional training element required of the agents who chose to sell those policies.

The subcommittee discussed the skill sets that would be needed for agents participating in the Exchange. After some discussion, the subcommittee formed a working group with a charge to make recommendations on training of agents, Navigators and IPAs. The working group members are Don Mucci, Jim Lawless, David Allgood, Chip Atkins, John Kiebler, and Marcus Woodward.

Compensation of Agents, Navigators, and In-Person Assistants

Navigators must be compensated through a grant process. IPAs will be compensated through a contractual process. The compensation of agents has always been through an arrangement between insurers and agents. The current thought is that if an agent is working on the Exchange, then the agent should have an appointment with each insurer participating on the Exchange. The insurer must pay fees to maintain an agent's appointment; therefore, insurers may terminate some agent appointments for failure to produce. An agent may not write policies for an insurer for various reasons such as the insurer's poor customer service. There is a concern an agent may recommend an insurer to an individual solely to avoid termination for nonperformance. Some subcommittee members suggested the thought of "Good Standing" with each insurer participating on the Exchange.

Chairman Woodward asked that the topic of compensation be considered on the next meeting agenda. The sub-subcommittee will also be asked to look at compensation and Exchange participation requirements (such as appointment with all insurers in the Exchange).

Other Business

The next meeting of the subcommittee is scheduled for 1:30 p.m. on Thursday, February 21, 2013, at the Office of the Kentucky Health Benefit Exchange.

Adjournment

The meeting was adjourned at 3:00 p.m.